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NEWS OF THE PROFESSION.

Busy Career of Judge Saunders.—Judge E. W. Saunders, of Franklin, who was elected to succeed Governor Swanson as a member of congress from Virginia, will enter upon the discharge of his duties with the opening of the session in December. Judge Saunders was born in Franklin county, Va., Oct. 25, 1860. He was taught at home till he was 14 years old, when he became a pupil of the Bellevue High school of Bedford county, which he attended for three sessions. After spending the year 1877-8 at home, he devoted two sessions to work in the academical department of the University of Virginia. During the session of 1880-81 he was associated with Professor Frank P. Brent in the conduct of a high school at Onancock in Accomac county. He then returned to the university for the session of 1881-2 and obtained his B. L. degree at the end of that session. He began the practice of law at Rocky Mount, in the county of his birth, in the fall of 1882. He was elected to the legislature November, 1887, and was successively re-elected a member of that body six times afterward. When in 1901 S. G. Whittle, the judge of the fourth circuit, was elevated to the supreme bench, Judge Saunders was selected to fill the position he had vacated, and when the new system went into effect under the constitution of 1902, he became judge of the seventh circuit. Judge Saunders' life has been a busy one, abounding in usefulness to his State and people. In the legislature he was first chairman of the committee on privileges and elections, and afterwards of the committee on courts of justice. In 1899 he was elected speaker of the house, which position he retained till his election as judge. Judge Saunders has received many evidences of the esteem and affection of those with whom he has been associated. Amongst these testimonials was a silver service from his associates in the legislature when he was elected speaker in 1899, and another when he was elected judge in 1901. He was also presented with a handsome edition of the Century dictionary and cyclopedia and atlas by the Lynchburg bar when he held the last term of his court in that city in January, 1904. As a legislator, Judge Saunders was as able, zealous and untiring in opposing evil legislations as he was in advancing measures he believed to be for the good of his State; whilst as judge he is learned, studious and impartial, giving to every position taken in the argument of a cause the most careful and intelligent consideration.—News-Leader.

Candidate for Senate.—It is now a generally accepted belief that Aylett B. Coleman, who represents the city of Roanoke in the House of Delegates, will be a candidate for the Senate from the Fourth district in the next election, it having been announced that the incumbent, Judge Phlegar, will not run again. The Fourth dis-

trict is composed of the cities of Roanoke and Radford, and the counties of Roanoke and Montgomery. The friends of E. L. Keyser, of Roanoke, are urging him to run for the vacancy in the House. Keyser, who is an old resident of the Magic City, has always taken an active interest in local politics, and is the present chairman of the Democratic Executive Committee. He is originally from Page county.

Judge Rives Made State's Attorney.—Judge J. F. West, of the Third Judicial Circuit, has appointed Hon. Timothy Rives, late judge of the county courts of Prince George and Surry counties, attorney for the Commonwealth for Prince George county, to fill the vacancy occasioned by the death of the late Thomas A. Brown. Judge Rives was judge of the County Court of Prince George from the time he was twenty-one years of age until the old court system was abolished by the new Constitution. He was a member of the Constitutional Convention.

Law Library.—The Petersburg Bar Association has appointed a committee to ascertain the cost, ways and means of establishing a law library. The members of the committee are: Charles Davis, J. Mortimer Townsend, R. Bowling Wilcox, Jr. They will report at a later meeting. It is supposed the old auditorium in the Y. M. C. A. building will be utilized for the purpose.

Judge A. K. Leake Stricken in Court.—Judge A. K. Leake, a prominent lawyer of Goochland county, was stricken with paralysis on November 13 while arguing a case in the court room at Louisa. Judge Leake's friends throughout the State will be glad to know that his condition is favorable to recovery.

Thomas A. Brown.—Mr. Thomas A. Brown died at his home in Disputanta on November 2, after seven weeks' illness, with typhoid fever. Mr. Brown was born in Rockingham county, Va., in 1871. He came to Prince George county fourteen years ago, and accepted the position of principal of the Disputanta graded school. He read law at night, and later took the summer law course at the University of Virginia, and was admitted to the bar in 1894. Before leaving Buckingham, he read law for a short time in the office of Senator Thomas S. Martin, at Scottsville, Va. Mr. Brown was Commonwealth's Attorney for Prince George county, and Commissioner in Chancery for the Circuit Court of said county. He was prominent in the councils of the Democratic party in his senatorial district, a leader at the bar in his county, and was one of the most popular and best beloved citizens of Prince George at the time of his death. He was married in 1902 to Miss Hessie Peebles, of Prince George, who, with one child, survives him.

John B. Baskerville.—Mr. John B. Baskerville, for many years one of the most prominent and learned lawyers in Southwestern Virginia, died October 31, at the residence of his son-in-law, Captain P. H. McCaull, Lynchburg, after an illness of some weeks. He passed his ninety-third birthday last May. The infirmities of his great age, in addition to a fall that he had some weeks ago, are given as the cause of his death. For many years Mr. Baskerville practiced his profession at Newbern, Pulaski county, being associated for a long time with General James A. Walker, under the firm name of Baskerville & Walker.

Charles M. Coston.—Charles M. Coston, formerly an attorney at law in Norfolk, died November 2 at his home in Pensacola, Fla. He was about thirty-two years of age and unmarried. He was a prominent citizen of the section in which he lived, and was a nominee for the Florida Legislature, the nomination being equivalent to an election. He formerly resided in both Norfolk and Portsmouth.

NOTES OF CASES.

Liability of Manufacturer for Negligence.—The liability of a manufacturer of an article for injuries resulting from defects therein receives a novel exposition in *Watson v. Augusta Brewing Co.*, 52 Southeastern Reporter, 152, where a manufacturer, who bottled up some pieces of glass with a beverage, which he advertised as harmless and refreshing, is held liable for injuries to one who imbibed the glass while drinking from the bottle. Defendant's chief contention in this case was that he was not liable because there was no privity of relationship between the parties, inasmuch as the beverage had not been sold directly by the defendant to the plaintiff, but the court holds that the duty for the violation of which the manufacturer is liable is owned by him to the general public.

Manslaughter Through Negligence.—In Iowa a conviction for manslaughter is sustained on the facts showing a reckless and negligent indifference to the safety of others, and it is also held that it was unnecessary for the state in order to support a conviction to prove that the deceased person was not guilty of contributory negligence. *State v. Moore*, 106 Northwestern Reporter, 16.

Safe Place to Work.—A peculiar case, in which liability for personal injuries was sought to be predicated upon the ground that the relation of master and servant existed, is that of *Walker v. Gleason*, 96 New York Supplement, 843. It there appeared that a landlord had